IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

(ORIGINAL JURISDICTION)

MONDAY THE TWENTY FIFTH DAY OF JUNE
TWO THOUSAND AND SEVEN

: PRESENT:

THE HON'BLE SRI JUSTICE **P.S. NARAYANA**

CONTEMPT CASE No. 678 OF 2006
And
SUOMOTU CONTEMPT CASE No. 985 of 2006

C.C. No. 678 of 2006

Between:

The District B.C. Mahila Welfare Association, Nalgonda, rep. by its President Bangarau Nagamani W/o Ramachari, H.no. 4-54/6/4, Khammam X Road, Kodad, Nalgonga District

..Petitioner

AND

1. Sri Samuel, Principal Secretary to Govt. of A.P., Panchayat Raj and Rural Development (Elections) Department, Secretariat, Hyderabad.
2. *Sri A.V.S. Reddy, the Chief Election Commissioner, Government of A.P., Hyderabad
3. Sri S.E. Sekhar Babu, the Commissioner for Panchayt Raj, Hyderabad.
4. Sri K.Vijayanand, The District Collector, Nalgonda District, Nalgonda
5. Sri Babu Rao, The Revenue Divisional Officer, Suryapet, Nalgonda District
   (The name of the Respondent No. 2 deleted as per Court order dated: 19-07-2006).

..Respondents

Contempt Case filed under Sections 10 to 12 of Contempt of Courts Act praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to punish the respondents herein for willfully and deliberately flouting the orders passed in W.P.M.P. No. 17027 of 2006 in W.P. No. 13680 of 2006 dt. 11-07-2006;

SUO MOTU CONTEMPT CASE No. 985 OF 2006

IN RE…….

1. VIJAYANAND, DISTRICT ELECTION AUTHORITY AND DISTRICT COLLECTOR, NALGONDA DISTRICT, NALGONDA.

2. K.N. KRISTAPPA, DEPUTY DISTRICT ELECTION

AUTHORITY AND THE REVENUE DIVISIONAL OFFICER, BHONGIR, NALGONDA DISTRICT

WHEREAS SUOMOTU CONTEMPT PROCEEDINGS Under Article 215 of the Constitution of India and Sections 10 to 12 of the Contempt of Courts Act, 1971 r/w Rule 5 (a) of the Contempt of Court, Rules, 1980 have been directed by the High Court by order dated: 21-07-2006, viz; By virtue of proceedings NO. F/1307/2006, dated: 15-07-2006 Sri Vijayanand, District Election Authority and District Collector, Nalgonda District, Nalgonda and Sri K.N. Kristappa, Deputy District Election Authority and Revenue Divisional Officer, Bhongir, Nalgonda District, Respondents 1 and 2 respectively in WP. NO. 14926 of 2006 made a serious attempt to overreach the orders of this Honourable Court by willfully and intentionally disobeying the orders dated: 11-07-2006 made in WPMP. No. 17027 of 2006 in WP. NO. 13680 of 2006, WPMP. No. 16955 of 2006 in WP. No. 13630 of 2006; WPMP. NO. 17064 of 2006 in WP. NO. 13716 of 2006; WPMP. NO. 17309 of 2006 in WP. No. 13899 of 2006 and WPMP. No. 17322 of 2006 in WP. NO. 13917 of 2006 and thus this Hon`ble Court, prima facie, of the considered opinion that it is a fit case to initiate Suo Motu contempt Proceedings by sending show-cause Notices to Sri Vijayanand, District Election Authority and District Collector, Nalgonda District, Nalgonda and Sri K.N. Kristappa, Deputy District Election Authority and Revenue Divisional Officer, Bhongir, Nalgonda District, for such action of them which is totally impermissible and directed the Registry to issue Show Cause notices as to why Proceedings under the Contempt of Courts Act, 1971 should not be initiated against them;

Whereas the Court upon perusing these Cases and the affidavits and material papers filed herein and upon hearing the arguments of Sri Nageswara Rao Palle, Advocate for the petitioner in C.C. No. 678 of 2006 and of Sri K. Janaki Rami Reddy, Advocate for Respondent Nos. 1 & 3 and of the Govt. Pleader for Panchayat Raj & Rural Development on behalf of respondent Nos. 4 & 5, in C.C. No. 678 of 2006, in the light of the facts and circumstances, this Court is of the considered opinion that further assistance is required;

And whereas the Court hence, directed the Registry to serve notice on the former learned Advocate-General Sri K. Subrahmanya Reddy to

this Court as Amicus-Curie, and also to serve notice on Sri D.V. Seetha Rama Murthy, President, High Court Advocates' Association to assist the Court;

..3..

Therefore you viz;

1. Sri K. Subrahmanya Reddy, former Advocate General, High Court of A.P., Hyderabad.

2. Sri D.V. Seetha Rama Murthy, President, High Court Advocates' Association, High Court of A.P., Hyderabad.

are hereby requested to appear before this Court on 16-07-2007 as Amicus Curiae and assist the Court in these matters.

DEPUTY
REGISTRAR

//TRUE COPY//

SECTION
OFFICER.

To

1. Sri K. Subrahmanya Reddy, former Advocate General, High Court of A.P., Hyderabad.
2. Sri D.V. Seetha Rama Murthy, President, High Court Advocates' Association, High Court of A.P., Hyderabad. (ADDRESSEES 1 & 2 BY SPECIAL MESSENGER with a copy of petition and all the material papers)
3. One CC to Sri Nageswar Rao Palle, Advocate(OPUC).
4. Two CCs to the Govt. Pleader for Panchayat Raj & Rural Development, High Court of A.P., Hyderabd (OUT)
6. Sri K. Janaki Rami Reddy, Advocate, High Court of A.P., Hyderabad.
7. One spare copy.

Ksv

HIGH COURT

Ksv
Date of drafting: 02-07-2007

PSN.J

DATE: 25-06-2007

ORDER

C.C. NO. 678 OF 2006

NOTICE TO THE AMICUS CURIAE